

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND
TRUST CO. FIXED INCOME FUNDS
INVESTMENT LITIGATION

MDL No. 1945

PRUDENTIAL RETIREMENT INSURANCE
AND ANNUITY COMPANY,

Plaintiffs,

v.

No. 07 Civ. 8488 (RJH)

STATE STREET BANK & TRUST
COMPANY and STATE STREET GLOBAL
ADVISORS, INC.,

ORAL ARGUMENT REQUESTED

Defendants.

STATE STREET’S CROSS MOTION FOR SUMMARY JUDGMENT

Defendant/Counterclaim Plaintiff State Street Bank and Trust Company (“State Street”), based upon the accompanying Rule 56.1 Statement of Undisputed Material Facts, Declaration of Daniel J. Maher with attached exhibits 1-116 dated July 2, 2010, and Memorandum of Law in Support, and upon all the pleadings and proceedings heretofore had herein, hereby moves this Court for an order granting partial summary judgment in favor of Defendant/Counterclaim Plaintiff’s First Counterclaim (Contribution and/or Indemnification) from its October 27, 2008 Answer and Counterclaim, and granting Defendant/Counterclaim Plaintiff such other relief in its favor as the Court deems proper. Pursuant to Your Honor’s Individual Practices, State Street requests oral argument.

Dated: July 2, 2010

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